

01-12-05

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

IFW

TRANSMITTAL FORM

JAN 11 2005

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/728,405
Filing Date	February 12, 2004
First Named Inventor	Nathaniel S. Fox
Art Unit	3673
Examiner Name	Antione Royall
Attorney Docket Number	004017.00066

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO/SB08a Form Foreign References 1-27 Return Receipt Postcard Certificate of Express Mail
--	--	--

Remarks The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 19-0733. A duplicate copy of this sheet is enclosed.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Banner & Witcoff, LTD.		
Signature			
Printed Name	Jon O. Nelson		
Date	January 11, 2005	Reg. No.	24,566

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.




**CERTIFICATE OF MAILING BY "EXPRESS MAIL"
(PATENT)**

Express Mail No: EV 363911559 US

Deposited: January 11, 2005

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 
(person actually depositing)

Inventor(s): Nathaniel S. Fox

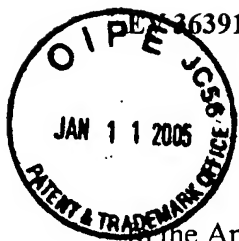
Serial No.10/728,405

Filed: February 12, 2004

Title: Apparatus and Method for Building Support Piers From One or Successive Lifts Formed in a Soil Matrix

Matter No: 004017.00066

- (X) Transmittal (in duplicate)
- (X) Information Disclosure Statement
- (X) PTO/SB/08a Form
- (X) Foreign Patents (1-27)
- (X) Return Receipt Postcard



263911559 US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 004017.00066)

In the Application of:

Nathaniel S. Fox

Serial No. 10/728,405

Filed: February 12, 2004

For: Apparatus and Method for Building
Support Piers From One or Successive
Lifts Formed in a Soil Matrix

Examiner:
Antione Royall

Art Unit: 3673

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA, 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. 1.56. The references are listed on the enclosed and completed PTO Form SB/08A.

REFERENCES

U.S. Patent Documents

<u>No.</u>	<u>Patent No.</u>	<u>Patentee</u>	<u>Date of Patent</u>
1.	977,356	Withrow	November 29, 1910
2.	3,151,687	Sato et al.	May 23, 1960
3.	3,137,483	Zinkiewicz	April 16, 1962

Banner & Witcoff, Ltd.
Ten South Wacker Drive
Chicago, Illinois 60606
(312) 463.5000

Attorney Docket No. 004017.00066

U.S. Patent Documents Cont.

4.	3,344,611	Philo	November 9, 1964
5.	3,465,834	Southworth, Jr.	March 18, 1968
6.	3,420,067	Bjerking	January 7, 1969
7.	3,869,869	Chen	March 11, 1975
8.	4,026,370	Foster et al.	May 31, 1977
9.	4,078,619	Sudnishnikov et al.	March 14, 1978
10.	4,091,661	Handy et al.	May 30, 1978
11.	4,648,746	Abinett	March 10, 1987
12.	5,145,285	Fox et al.	September 8, 1992
13.	5,249,892	Fox et al.	October 5, 1993
14.	6,354,768	Fox	March 12, 2002
15.	6,354,766	Fox	March 12, 2002
16.	6,425,713 B2	Fox et al.	July 30, 2002

Foreign Documents

<u>No.</u>	<u>Patent No.</u>	<u>Patentee or Applicant</u>
1.	GB 1 392 868	Schmidt
2.	GB 1 406 769	Schmidt
3.	GB 1 438 734	Schmidt
4.	GB 1 517 250	Schmidt
5.	GB 1 522 931	Schmidt
6.	GB 1 527 343	Schmidt
7.	GB 1 530 865	Schmidt
8.	GB 1 542 541	Schmidt

Foreign Documents Cont.

9.	GB 1 554,019	Schmidt
10.	GB 2 022 169	Schmidt
11.	GB 2 022 651 A	Schmidt
12.	GB 1 567 343	Schmidt
13.	GB 2 049 762 A	Schmidt
14.	GB 2 143 561 A	Schmidt
15.	WO 97/24493	Vickars
16.	WO 98/13554	England
17.	WO 99/13167	Joachim
18.	WO 99/50506	Degen
19.	WO 00/75436 A1	Bisschops
20.	WO 01/36753 A1	Shotton
21.	WO 02/35013 A1	Degen
22.	WO 02/48466 A1	He
23.	WO 03/062539 A1	Rasmussen
24.	WO 03/091503 A1	Degen
25.	WO 2004/005626 A1	Matyas
26.	WO 2004/035938 A2	Gunther
27.	WO 2004/035938 A3	Gunther

Respectfully submitted,

BANNER & WITCOFF, LTD

Dated: January 11, 2005By: 

Jon O. Nelson, Reg. No. 24,566

Banner & Witcoff, Ltd.
 Ten South Wacker Drive
 Chicago, Illinois 60606
 (312) 463.5000

Attorney Docket No. 004017.00066



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/728,405
Filing Date	February 12, 2004
First Named Inventor	Nathaniel S. Fox
Art Unit	3673
Examiner Name	Antione Royall
Attorney Docket Number	004017.00066

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US- 977,356	11-29-1910	Withrow	
	2	US- 3,151,687	05-23-1960	Sato et al.	
	3	US- 3,137,483	04-16-1962	Zinkiewicz	
	4	US- 3,344,611	11-09-1964	Philo	
	5	US- 3,465,834	03-18-1968	Southworth, Jr.	
	6	US- 3,420,067	01-07-1969	Bjerkling	
	7	US- 3,869,869	03-11-1975	Chen	
	8	US- 4,026,370	05-31-1977	Foster et al.	
	9	US- 4,078,619	03-14-1978	Sudnishnikov et al.	
	10	US- 4,091,661	05-30-1978	Handy et al.	
	11	US- 4,648,746	03-10-1987	Abinett	
	12	US- 5,145,285	09-08-1992	Fox et al.	
	13	US- 5,249,892	10-05-1993	Fox et al.	
	14	US- 6,354,768	03-12-2002	Fox	
	15	US- 6,354,766	03-12-2002	Fox	
	16	US- 6,425,713 B2	07-30-2002	Fox et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ³
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	1	GB 1 392 868	05-07-1975	Schmidt		
	2	GB 1 406 769	09-17-1975	Schmidt		
	3	GB 1 438 734	06-09-1976	Schmidt		
	4	GB 1 517 250	07-12-1978	Schmidt		
	5	GB 1 522 931	08-31-1978	Schmidt		
	6	GB 1 527 343	10-04-1978	Schmidt		
	7	GB 1530 865	11-01-1978	Schmidt		
	8	GB 1 542 541	03-21-1979	Schmidt		
	9	GB 1 554 019	10-17-1979	Schmidt		
	10	GB 2 022 169	12-12-1979	Schmidt		
	11	GB 2 022 651 A	12-19-1979	Schmidt		
	12	GB 1 567 343	05-14-1980	Schmidt		
	13	GB 2 049 762 A	12-31-1980	Schmidt		
	14	GB 2 143 561 A	02-13-1985	Schmidt		
	15	WO 97/24493	07-10-1997	Vickars		
	16	WO 98/13554	04-02-1998	England		
	17	WO 99/13167	03-18-1999	Jochim		
	18	WO 99/50506	10-07-1999	Degen		
	19	WO 00/75436 A1	12-14-2000	Bisschops		
	20	WO 01/36753 A1	05-25-2001	Shotton		
	21	WO 02/35013 A1	05-02-2002	Degen		
	22	WO 02/48466 A1	06-20-2002	He		
	23	WO 03/062539 A1	07-31-2003	Rasmussen		
	24	WO 03/091503 A1	11-06-2003	Degen		
	55	WO 2004/005626 A1	01-15-2004	Matyas		
	26	WO 2004/035938 A2	04-29-2004	Gunther		
	27	WO 2004/035938 A3	04-29-2004	Gunther		

Examiner
Signature

Date
Considered